

## UNITED STATES DISTRICT COURT

Southern District of Mississippi

Jackson Division

UNITED STATES OF AMERICA

## JUDGMENT IN A CRIMINAL CASE

(For Revocation of Probation or Supervised Release)  
(For Offenses Committed On or After November 1, 1987)

V.

Case Number: 3:04cr141BN-001

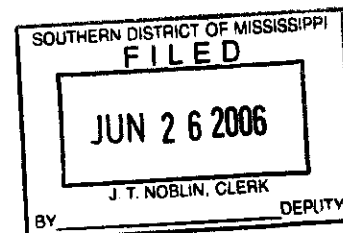
JOSEPH HAROLD GRAVES

Defendant's Attorney: Dennis Joiner, Federal Public Defender  
200 S. Lamar, Suite 100-S  
Jackson, MS 39201 (601-948-4284)

## THE DEFENDANT:

☒ admitted guilt to violation of condition(s) Standard Condition #1.  
of the term of supervision.☐ was found in violation of condition(s) \_\_\_\_\_ after denial of guilt.

ACCORDINGLY, the Court has adjudicated that the defendant is guilty of the following offense(s):

Violation Number  
Standard Condition #1Nature of Violation  
On 03/25/05, Graves reported to U.S. Probation in Jackson, MS upon release from federal custody to begin his 3-year term of supervised release. Graves had no place to live & was instructed to reside at the Gateway Rescue Mission in Jackson until alternative housing could be arranged. Graves was instructed to return to the Probation Office in Jackson on 03/30/05. Graves never reported. Contact with Gateway Rescue Mission reveals Graves never reported to the shelter. Graves failed to report & is considered to be in absconder status.Date Violation  
Concluded  
05-18-06The defendant is sentenced as provided in pages 2 through 4 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.☐ The defendant has not violated condition(s) \_\_\_\_\_ and is discharged as to such violation(s) condition.

IT IS ORDERED that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant shall notify the court and United States Attorney of any material change in the defendant's economic circumstances.

Defendant's Soc. Sec. No.: \_\_\_\_\_

Defendant's Date of Birth: \_\_\_\_\_

Defendant's USM: \_\_\_\_\_

Defendant's Residence Address: \_\_\_\_\_

3765 County Road 703Cullman, Alabama 35055

Defendant's Mailing Address: \_\_\_\_\_

Same

June 23, 2006

Date of Imposition of Judgment

Signature of Judicial Officer

William H. Barbour, Jr., U. S. District Judge  
Name and Title of Judicial Officer6/26/06

Date

DEFENDANT: Joseph H. Graves  
CASE NUMBER: 3:04cr141BN-001

### IMPRISONMENT

The defendant is hereby sentenced to a term of 108 days imprisonment with credit for time served since his arrest in Austin, Texas March 8, 2006. The defendant is to be released immediately with no supervised release to follow.

☐ The court makes the following recommendations to the Bureau of Prisons:

☐ The defendant is remanded to the custody of the United States Marshal.

☐ The defendant shall surrender to the United States Marshal for this district:

☐ at \_\_\_\_\_ ☐ a.m. ☐ p.m. on \_\_\_\_\_

☐ as notified by the United States Marshal.

☐ The defendant shall surrender for service of sentence to the :

☐ before a.m. on \_\_\_\_\_

☐ as notified by the United States Marshal.

☐ as notified by the Probation or Pretrial Services Office.

### RETURN

I have executed this judgment as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Defendant delivered on \_\_\_\_\_ to \_\_\_\_\_

at \_\_\_\_\_ with a certified copy of this judgment.

\_\_\_\_\_  
UNITED STATES MARSHAL

By \_\_\_\_\_  
DEPUTY UNITED STATES MARSHAL

Judgment — Page 3 of 4

DEFENDANT: Joseph H. Graves  
CASE NUMBER: 3:04cr141BN-001

**CRIMINAL MONETARY PENALTIES**

The defendant shall pay the following total criminal monetary penalties in accordance with the schedule of payments set forth on Sheet 5, Part B.

|        | <u>Assessment</u>   | <u>Fine</u>           | <u>Restitution</u> |
|--------|---------------------|-----------------------|--------------------|
| TOTALS | \$ 100.00 (balance) | \$ 1,500.00 (balance) | \$ -0-             |

☐ The determination of restitution is deferred until \_\_\_\_\_. An Amended Judgment in a Criminal Case (AO245C) will be entered after such determination.

☐ The defendant shall make restitution (including community restitution) to the following payees in the amount listed below.

If the defendant makes a partial payment, each payee shall receive an approximately proportioned payment, unless specified otherwise in the priority order or percentage payment column below. However, pursuant to 18 U.S.C. § 3664(i), all nonfederal victims must be paid in full prior to the United States receiving payment.

| <u>Name of Payee</u> | <u>*Total<br/>Amount of Loss</u> | <u>Amount of<br/>Restitution Ordered</u> | <u>Priority Order<br/>or Percentage<br/>of Payment</u> |
|----------------------|----------------------------------|--|--|
|----------------------|----------------------------------|--|--|

TOTALS \$ \_\_\_\_\_ \$ \_\_\_\_\_

☐ If applicable, restitution amount ordered pursuant to plea agreement \$ \_\_\_\_\_.

☐ The defendant shall pay interest on any fine or restitution of more than \$2,500, unless the fine or restitution is paid in full before the fifteenth day after the date of the judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on Sheet 5, Part B may be subject to penalties for delinquency and default, pursuant to 18 U.S.C. § 3612(g).

☐ The court determined that the defendant does not have the ability to pay interest, and it is ordered that:

☐ the interest requirement is waived for the ☐ fine and/or ☐ restitution.

☐ the interest requirement for the ☐ fine and/or ☐ restitution is modified as follows:

\* Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18, United States Code, for offenses committed on or after September 13, 1994 but before April 23, 1996.

DEFENDANT: Joseph H. Graves  
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### SCHEDULE OF PAYMENTS

Having assessed the defendant's ability to pay, payment of the total criminal monetary penalties shall be due as follows:

- A ☐ Lump sum payment of \$ \_\_\_\_\_ due immediately, balance due  
☐ not later than \_\_\_\_\_, or  
☐ in accordance with ☐ C, ☐ D, or ☐ E below; or
- B ☒ Payment to begin immediately (may be combined with ☐ C, ☐ D, or ☒ E below); or
- C ☐ Payment in equal \_\_\_\_\_ (e.g., weekly, monthly, quarterly) installments of \$ \_\_\_\_\_ over a period of \_\_\_\_\_ (e.g., months or years), to commence \_\_\_\_\_ (e.g., 30 or 60 days) after the date of this judgment; or
- D ☐ Payment in equal \_\_\_\_\_ (e.g., weekly, monthly, quarterly) installments of \$ \_\_\_\_\_ over a period of \_\_\_\_\_ (e.g., months or years), to commence \_\_\_\_\_ (e.g., 30 or 60 days) after release from imprisonment to a term of supervision; or
- E ☒ Special instructions regarding the payment of criminal monetary penalties:

**The Court orders that the defendant pay the \$1,500 fine balance as well as \$100 special assessment balance, previously imposed but not yet satisfied, due immediately, with any remaining balance to be collected through the Financial Litigation Unit of the U. S. Attorney's Office.**

Unless the court has expressly ordered otherwise in the special instruction above, if this judgment imposes a period of imprisonment, payment of criminal monetary penalties shall be due during the period of imprisonment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons' Inmate Financial Responsibility Program, are made to the clerk of the court, unless otherwise directed by the court, the probation officer, or the United States attorney.

The defendant shall receive credit for all payments previously made toward any criminal monetary penalties imposed.

☐ Joint and Several

Defendant Name, Case Number, and Joint and Several Amount:

- ☐ The defendant shall pay the cost of prosecution.
- ☐ The defendant shall pay the following court cost(s):
- ☐ The defendant shall forfeit the defendant's interest in the following property to the United States:

Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) fine principal,  
(5) community restitution, (6) fine interest (7) penalties, and (8) costs, including cost of prosecution and court costs.